

IN THE SENATE

SENATE BILL NO. 1159

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF COMMERCE; APPROPRIATING MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2024; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY FOR THE IDAHO BROADBAND FUND; PROVIDING REAPPROPRIATION AUTHORITY FOR THE ARPA CAPITAL PROJECTS FUND; PROVIDING REAPPROPRIATION AUTHORITY FOR THE FEDERAL GRANT FUND; PROVIDING REAPPROPRIATION AUTHORITY FOR THE AMERICAN RESCUE PLAN FUND; DIRECTING THE USE OF BROADBAND GRANTS; PROVIDING FOR ACCOUNTABILITY REPORTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Department of Commerce the following amounts to be expended according to the designated expense classes from the listed funds for the period July 1, 2023, through June 30, 2024:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR TRUSTEE AND BENEFIT PAYMENTS	TOTAL
FROM:				
General Fund	\$2,914,600	\$1,504,400	\$2,250,000	\$6,669,000
Idaho Opportunity Fund			3,000,000	3,000,000
Tourism and Promotion Fund	1,282,000	14,170,400	12,288,600	27,741,000
Miscellaneous Revenue Fund		157,500		157,500
Seminars and Publications Fund		378,400		378,400
ARPA Capital Projects Fund	303,100			303,100
Federal Grant Fund	<u>753,800</u>	<u>1,923,300</u>	<u>163,620,800</u>	<u>166,297,900</u>
TOTAL	\$5,253,500	\$18,134,000	\$181,159,400	\$204,546,900

1 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,
2 Idaho Code, the Department of Commerce is authorized no more than
3 forty-eight (48.00) full-time equivalent positions at any point during the
4 period July 1, 2023, through June 30, 2024, unless specifically authorized
5 by the Governor. The Joint Finance-Appropriations Committee will be noti-
6 fied promptly of any increased positions so authorized.

7 SECTION 3. REAPPROPRIATION AUTHORITY FOR THE IDAHO BROADBAND FUND.
8 There is hereby reappropriated to the Department of Commerce any unexpended
9 and unencumbered balances appropriated or reappropriated to the Department
10 of Commerce from the Idaho Broadband Fund for fiscal year 2023, not to exceed
11 \$35,000,000, to be used for nonrecurring expenditures for broadband infra-
12 structure for the period July 1, 2023, through June 30, 2024. The Office
13 of the State Controller shall confirm the reappropriation amount, by fund,
14 expense class, and program, with the Legislative Services Office prior to
15 processing the reappropriation authorized herein.

16 SECTION 4. REAPPROPRIATION AUTHORITY FOR THE ARPA CAPITAL PROJECTS
17 FUND. There is hereby reappropriated to the Department of Commerce any un-
18 expended and unencumbered balances appropriated or reappropriated to the
19 Department of Commerce from the ARPA Capital Projects Fund for fiscal year
20 2023, not to exceed \$124,100,000, to be used for nonrecurring expenditures
21 for broadband infrastructure for the period July 1, 2023, through June 30,
22 2024. The Office of the State Controller shall confirm the reappropriation
23 amount, by fund, expense class, and program, with the Legislative Services
24 Office prior to processing the reappropriation authorized herein.

25 SECTION 5. REAPPROPRIATION AUTHORITY FOR THE FEDERAL GRANT FUND. There
26 is hereby reappropriated to the Department of Commerce any unexpended and
27 unencumbered balances appropriated or reappropriated to the Department of
28 Commerce from the Federal Grant Fund for fiscal year 2023, not to exceed
29 \$50,000,000, to be used for nonrecurring expenditures for broadband infra-
30 structure for the period July 1, 2023, through June 30, 2024. The Office
31 of the State Controller shall confirm the reappropriation amount, by fund,
32 expense class, and program, with the Legislative Services Office prior to
33 processing the reappropriation authorized herein.

34 SECTION 6. REAPPROPRIATION AUTHORITY FOR THE AMERICAN RESCUE PLAN
35 FUND. There is hereby reappropriated to the Department of Commerce any un-
36 expended and unencumbered balances appropriated or reappropriated to the
37 Department of Commerce from the American Rescue Plan Fund for fiscal year
38 2023, not to exceed \$1,000,000, to be used for nonrecurring expenditures for
39 economic planning for the period July 1, 2023, through June 30, 2024. The
40 Office of the State Controller shall confirm the reappropriation amount, by
41 fund, expense class, and program, with the Legislative Services Office prior
42 to processing the reappropriation authorized herein.

43 SECTION 7. BROADBAND GRANTS. Notwithstanding any law to the contrary,
44 all moneys appropriated from the American Rescue Plan Act Capital Projects
45 Fund and Federal Grant Fund to the Department of Commerce for the purpose of

1 broadband grants shall be allocated at the direction of the Idaho Broadband
2 Advisory Board.

3 SECTION 8. ACCOUNTABILITY REPORTS. Funds specifically identified in
4 statute or in an appropriation act as intended for a certain purpose may be
5 used only for that purpose. All funds provided in this act shall be subject
6 to accountability reports and management reviews in accordance with Section
7 67-702, Idaho Code.

8 SECTION 9. An emergency existing therefor, which emergency is hereby
9 declared to exist, this act shall be in full force and effect on and after
10 July 1, 2023.